

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 24-00053-CR-W-HFS
)	
ERIC W. PATTON,)	
)	
Defendant.)	

ORDER

On March 12, 2024, defendant was indicted for being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8). (Doc. 15). Defendant sought dismissal of the Indictment on Second Amendment grounds. (Doc. 31). After making an independent review of the record and applicable law, Judge Counts recommended that an Order be entered denying defendant's motion. (Doc. 36). Defendant has filed objections, essentially asserting arguments previously made in his motion. (Doc. 39).

As recently held by the Eighth Circuit in United States v. Mull, Appeal No. 23-3424 (Aug. 29, 2024), concluding that defendant's Second Amendment challenge to his felon-in-possession indictment is foreclosed by this Circuit's recent opinions in United States v. Jackson, 2024 WL 3711155, at *4 (8th Cir. Aug. 8, 2024); United States v. Lowry, 2024 WL 3819783, at *3 (8th Cir. Aug. 15, 2024); and United States v. Cunningham, 2024 WL 3840135, at * (8th Cir. Aug. 16, 2024).

Having reviewed the record and briefing, I ADOPT the Report and
Recommendation "R&R" (Doc. 36) and DENY defendant's motion to dismiss (Doc. 31).

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

Dated: November 18, 2024
Kansas City, Missouri